1 THE HONORABLE BENJAMIN H. SETTLE 2 3 5 6 UNITED STATES DISTRICT COURT 7 WESTERN DISTRICT OF WASHINGTON 8 AT TACOMA 9 EMILY TORJUSEN, Case No. 3:18-cv-05785-BHS 10 Plaintiff, DECLARATION OF ANDREW G. YATES IN SUPPORT OF DEFENDANT 11 NATIONAL RAILROAD PASSENGER v. CORPORATION'S MOTION FOR 12 NATIONAL RAILROAD PASSENGER NEW TRIAL OR IN THE CORPORATION d/b/a AMTRAK; and ALTERNATIVE REMITTITUR 13 DOES ONE THROUGH FIFTY, 14 Defendants. 15 I, Andrew G. Yates, declare the following to be true: 16 1. I am one of the attorneys for defendant National Railroad Passenger Corporation 17 ("Amtrak") in the above captioned matter. I am of legal age, am competent to testify, and make 18 19 this declaration from my own personal knowledge. 20 2. Attached as **Exhibit A** is a true and correct copy of the transcript excerpts of the 3/7/2022 21 Pretrial Conference. 22 3. Attached as **Exhibit B** is a true and correct copy of the transcript excerpts of the 4/1/2022 23 trial transcript. 24 4. Attached as Exhibit C is a true and correct copy of the transcript excerpts of the 25 26 3/31/2022 trial transcript. 27 LANE POWELL PC DECLARATION OF ANDREW G. YATES ISO DEFENDANT NRPC'S 1420 FIFTH AVENUE, SUITE 4200 MOTION FOR NEW TRIAL OR IN THE ALTERNATIVE REMITTITUR - 1 P.O. BOX 91302 SEATTLE, WA 98111-9402 NO. 3:18-CV-05785-BHS 206.223.7000 FAX: 206.223.7107

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5. Attached as $\underline{\textbf{Exhibit D}}$ is a true and correct copy of the transcript excerpts of the 3/30/2022 trial transcript.

I declare under penalty of perjury under the laws of the United States and the State of Washington that the foregoing is true and correct.

DATED this 2nd day of May, 2022 in Seattle Washington.

s/ Andrew G. Yates
Andrew G. Yates